

Voluntown Planning and Zoning Commission  
March 14, 2001

The regular meeting of the Voluntown Planning and Zoning Commission was called to order at 7:10 P.M. at the Voluntown Town Hall, Voluntown, CT. Members present were Ken Hollister, Flo Harman, Ken Weseman, Dwayne Davis and alternates, David Nieminen and Dawn Maldonado. Alternate, David Nieminen will be a full voting member. Also present, Peter Zvingilas, Zoning Enforcement Officer.

The minutes of the February 14, 2001 meeting were read. Ken Weseman made a motion to accept the minutes as read. Ken Hollister seconded it and all were in favor.

Peter Zvingilas, Z.E.O., went over the Frechette property with the Building Official and Fire Marshal. He is setting up a site plan review process and Peter suggested that this should be in the regulations. This will be considered.

Old Business: Nothing further has come up concerning Patrick Reynaud. Tom Wilber, First Selectman, had an interpretation to the State Statute on county roads. He thinks all the property reverts back to the State, including the remaining road. The actual status of the road is not clear at this time. The Frechette millar was signed and paper copies received. Regulation changes became effective March 15, 2001.

New Business: Settlement between the Town and Earthgro. Ken Weseman made a motion to amend the agenda to discuss a stipulation of withdrawal of the civil action brought against the Zoning Board of Appeals. Dwayne Davis seconded it and all were in favor. The Chairman explained that he had spoken with the Town Attorney. Z.B.A. has accepted the withdrawal of the civil action suit, with the stipulation that the Board of Selectmen, the Z.E.O. and Planning and Zoning sign off. The Board discussed the removal of the action. Earthgro could not reactivate the facility without coming before the Planning and Zoning Board. No activity has occurred there recently. David Nieminen questioned contamination of the ponds. Mr. Wilber stated a letter was sent to D.E.P. requesting water test results for the last 18 months. If there are problems with the ponds, it is between D.E.P. and Earthgro. The issue is the Z.B.A. withdrawal of the suit. Z.B.A. wants concurrence from P & Z, the Z.E.O. and the Board of Selectmen. Ken Weseman made a motion to accept the stipulation of withdrawal of the civil suit against the Board of Appeals in concurrence with the Board of Appeals stipulation. Flo Harmon seconded it. David Nieminen stepped off the Board for the vote. All in favor--Ken Weseman, Flo Harman, Dwayne Davis. Ken Hollister abstained. Motion carried.

First on the Agenda: Telecommunication Tower, Mike Roman, Rockville Road. A letter dated 3/14/01 from Attorney Kepple was read. In his opinion the Siting Council had jurisdiction over all applications for cell towers. It was stated that this was a non-public utility. There is only one major use to the property. There would need to be two building lots, one for residence and one for the tower. Clarification will be needed from the Town Attorney. Their choice if to go forward. Note: Atty. Kepple arrived at 7:40 P.M. Mr. Roman stated it was very costly to go to the Siting Council. If the applicant wanted to go forward, the Board would accept the application and money, set up a Public Hearing and would have to follow the Town Attorney's advice. Mike Roman stated they would wait another thirty days. Ken Weseman made a motion to table any action on the telecommunication tower on Rockville Road until the April meeting. Dwayne Davis seconded it and all were in favor.

## P & Z Meeting of March 14, 2001 continued

Second on the Agenda: Vivian Roode, Brown Road. Per the discussion at the last meeting, the application will be accepted this meeting. The Roode's have things that need to be done. Ken Weseman made a motion to accept the application and fee as of March 14, 2001. Dwayne Davis seconded it and all were in favor.

Third on the Agenda: SPAFAS, Pendleton Hill Road, third building. SPAFAS had been before Inland Wetlands the previous Thursday. They are not ready for Planning and Zoning. Will move them until next month. Ken Weseman made a motion to table until the April meeting. Dwayne Davis seconded it and all were in favor.

Fourth on the Agenda: A CGS 8-24 Review of property acquisition by the Town. Ken Weseman made a motion, because of legal action pertaining to this issue, to move to executive session. Ken Hollister seconded it and all were in favor. Peter Zvingilas, ZEO; Atty. Kepple; and Tom Wilber, First Selectman remained for the executive session that began at 7:55 P.M. Ken Weseman made a motion to come out of executive session at 8:10 P.M. Flo Harman seconded it and all were in favor. Ken Weseman made the motion to approve a favorable 8-24 review and found this acquisition/swap to meet the Plan of Development. One stipulation, the remaining house lot meets zoning regulations in effect as of March 15, 2001. Dwayne Davis seconded it and all were in favor.

Fifth on the Agenda: A CGS 8-24 Review of acquisition of approximately 15 1/2 acres of D.E.P. property north of the Voluntown Elementary School. Ken Weseman made the motion to approve a favorable 8-24 review of the acquisition of land. Ken Hollister seconded it and all were in favor.

Sixth on the Agenda: A CGS 8-24 Review of the Town Hall parking lot improvements. Tom Wilber, First Selectman, brought before the Board a blueprint showing the enlargement and changes for the Town Hall parking lot. The existing driveway will be discontinued. It will double the parking. The side door will be handicap accessible. The elevation and drainage was discussed. The lighting is not shown. The old asphalt will be removed. Estimated cost is between \$15,000-\$18,000. The Recreation Commission at a later date may use the Town garage, if the Town acquires land to build a new and larger town garage. The entrance to the Town Hall will be off Gate Street. They will be working with D.O.T. on the intersection of Gate Street and Route 138. Ken Weseman made the motion to approve a favorable 8-24 review of the Town Hall parking lot improvement as shown on the blueprint titled "Town Hall Parking Lot Expansion." Flo Harman seconded it and all were in favor.

Seventh on the Agenda: A CGS 8-24 Review of improvements to the Town Hall involving erection of a communication antenna tower. Tom Wilber, First Selectman, had triangular antenna sections donated to the Town and would like to attach them to the north face of the chimney on the Town Hall. It would be approximately thirty to forty feet high, with a five to six foot whip on top. Radios have been put in the Town trucks and he would like to have a base station at the Town Hall. Because of the regulations, Mr. Wilber wanted to come before the Board. Ken Weseman stated this would be a private communication tower and he had no problem with it, especially being less than fifty feet high. Ken Weseman made a motion to approve

a favorable 8-24 review for the erection of a communication antenna at the Town Hall. Ken Hollister seconded it and all were in favor.

P & Z Meeting of March 14, 2001 continued

Ken Weseman made a motion to adjourn the meeting at 8:30 P.M. Flo Harman seconded it and all were in favor.

Respectfully submitted,

Flo Harman, Secretary

Copy to Z.E.O.

Copy to Z.B.A.